



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530

March 4, 2002

MEMORANDUM FOR THE ATTORNEY GENERAL

FROM: Daniel J. Bryant *ΔJB*
Assistant Attorney General

SUBJECT: Weekly Report for March 4 - March 15, 2002

THE WEEK AHEAD

- **FISA:** Briefings will be scheduled this week on the FISA semiannual report, in response to requests from the Senate and House Intelligence Committees. (Walter)
- **Office of Justice Programs (OJP):** On March 14, Department representatives from the OJP, COPS, and the Inspector General's Office will testify before the House Judiciary Crime Subcommittee at a hearing on grant management problems and how the Department is addressing them. (Bernhardt)

THIS WEEK

- **PENTTBOM/Counter Terrorism:** The House Intelligence Committee's Budget Subcommittee hearing on the FY 2002 counter terrorism supplemental is scheduled for March 5. Senator Durbin has requested a briefing on intelligence issues related to an individual who was taken into custody in Illinois as a material witness in the 9/11 attacks, transferred to New York, and was indicted for credit card fraud. (Walter)
- **Prosecutorial Deliberations:** On February 27, we offered to permit House Government Reform Committee staff to review five of the twenty documents that were subject to the President's claim of Executive Privilege in December 2001, based upon their statements of particularized need and our judgment that these documents relate to misconduct in the handling of FBI informants in Boston. On February 25, Assistant Attorney General Michael Chertoff described each of the ten Boston documents to Committee staff, who concurred in our view that several were not germane to Committee needs. The Criminal Division is redacting sensitive law enforcement information from the documents now.

On February 19, Chairman Burton subpoenaed an Office of Professional Responsibility Report on the handling of FBI informants, which remains under a protective order in Boston. We expect to file a motion this week to modify the order so that it can be made available to the Committee, subject to redactions of grand jury and other sensitive information. (F. Burton)

- **Office of Justice Programs (OJP):** On March 5, Assistant Attorney General Deborah Daniels will testify before the House Judiciary Crime Subcommittee on duplicative programs within the OJP. (Bernhardt)
- **Nominations:** On March 5, the Senate Judiciary Committee will hold a hearing on the nomination of Robert Flores, to be Administrator of the Office of Juvenile Justice and Delinquency Prevention. The Senate Governmental Affairs Committee has scheduled a hearing on the nomination of Jeanette Clark, to be a D.C. Superior Court judge for March 5. The Senate Judiciary Committee has tentatively scheduled the markup on the nomination of Charles Pickering, to be a United States Circuit Judge for the Fifth Circuit Court of Appeals, for March 7. (Scott-Finan)
- **FBI FY 03 Budget:** On March 6, FBI Director Mueller will testify before the House Appropriations Commerce, Justice, State Subcommittee on the President's request for funds for the FBI. (Coughlin)

LAST WEEK

- **FY 03 Appropriation Hearings:** You testified on the Department's FY 03 budget request before the Senate and House Appropriations Commerce, Justice, State Subcommittees on February 26 and February 28, respectively. (Daley)
- **Nominations:** On February 26, the Senate Judiciary Committee held a hearing on the following judicial nominations: D. Brooks Smith, to be a U.S. Circuit Judge for the Third Circuit Court of Appeals; David C. Bury, to be a U.S. District Judge for the District of Arizona; Randy Crane, to be a U.S. District Judge for the Southern District of Texas; and Ralph R. Beisline, to be a U.S. District Judge for the District of Alaska.

On February 23, the Senate confirmed the nominations of Robert Blackburn, to be a U.S. District Judge for the District of Colorado, and Cindy K. Jorgenson, to be a U.S. District Judge for the District of Arizona, each by a roll call vote of 98-0. (Scott-Finan)
- **Espionage:** A classified briefing for cleared Senate Judiciary Committee staff on the Hanssen case was held on February 27. A classified briefing for House Intelligence Committee staff on the recent superseding indictment in the Regan case was held on February 28, following a similar briefing for Senate Intelligence Committee staff. (Walter)
- **PENTTBOM/Counter Terrorism:** On February 28, the House Intelligence Homeland Defense Subcommittee held a hearing on gaps in FBI counter terrorism activities and organization. (Walter)